

The meeting was called to order at 7:31 p.m. by Mr. Cantoreggi, Chair.

Members present: Robert Cantoreggi, Chair
George Yered, Clerk
Catherine MacInnes
James McKay

Melissa Recos, PE, BETA Engineering

Members Absent: Nicole Riley
Richard Nichols

Also present: Scott Fuzy, 15 Stony Brook Dr.
Sean Currivan, 59 Main St., Medway
Brad Currivan, 7 Linda Ln., Franklin
Paul F. DeSimone, 11 Awl St., Medway
David & Kathy Andrews, 9 Evergreen Terrace
Ed Shluzas, 84 Acorn St.
Brian Dmytryck, 222 Curve St.
Wayne Klocko, 85 Walnut St.
Bob Weiss, Millis Energy Committee
Daniel Merrikin, Merrikin Engineering, LLP
Elmer Chacon, 925 Main St., Jalapa's Mexican Grill
Bob Washek, 40 Exchange St., Buzzy's Roast Beef
Michele Washek, 40 Exchange St.

SPECIAL PERMIT APPLICATION FOR SITE PAN APPROVAL

984 MAIN STREET

SECOND FLOOR APARTMENT

SEAN CURRIVAN/KSK REALTY TRUST

The public hearing was opened at 7:31 p.m. with notice being read by Mr. Yered, Clerk.

Mr. Paul DeSimone, representing the applicant, presented the application and plan. He stated that there is an existing apartment above Marinho's Pizza shop. The application does not propose any changes to the existing site, building, or use. It is only to allow the continued use of the apartment. He presented an "Existing Conditions" plan, dated May 2, 2015. He discussed the parking and said that "nothing is marked" on the site. Mr. DeSimone stated that the applicant is filing under the MCEOD – as it "encourages mixed use" - to allow use of the existing apartment.

Ms. Recos, the Planning Board's consulting engineer, discussed her review letter, dated August 5, 2015. She summarized that the site is pre-existing, non-conforming; mostly in the area of parking. She recommended that the Fire Chief review the site to confirm that emergency access is acceptable. Ms. Recos stated that one parking space per bedroom should be allocated. Ms. Recos stated that although the second floor apartment is

allowed in the district by special permit from the Planning Board, minimum lot area, frontage requirements and parking standards requirements have not been met.

Mr. Currivan stated the apartment is a two-bedroom apartment. He intends to fix potholes and put new topcoat on the existing parking lot. Mr. Currivan has not talked to the Fire Chief yet, but he stated that there are two forms of egress from the apartment: second floor balcony and one on the side of the building. Mr. Yered stated that these are not shown on the plan and requested that they be added.

Mr. Cantoreggi discussed the purpose behind the MCEOD district and open space requirements. Parking and maneuverability of the site was discussed. Ms. MacInnes stated that, in her opinion, the site does not comply and a similar application on the same street was denied for this reason. Mr. Cantoreggi stated that he would like an opinion from Town Counsel. Ms. MacInnes stated that the applicant would have to pay for Town Counsel to review.

Mr. DeSimone will revise the plan and would also like time to review Mr. Recos's comment letter. In addition, comments from the Fire Chief will be requested.

On a motion made by Mr. Cantoreggi, seconded by Mr. Yered, it was voted 3-1 in favor, with Ms. MacInnes opposed, to continuing the public hearing at 7:51 p.m. to Tuesday, September 22, 2015, 7:30 p.m.

925 MAIN STREET

JALAPA'S MEXICAN GRILL

OUTDOOR PATIO

DISCUSSION RE: WAIVER OF SITE PLAN REVIEW 7-23-14

ELMER CHACON

Mr. Chacon was asked to attend the Planning Board meeting after it was discovered that the patio was not constructed as approved in the Waiver of Site Plan Review dated July 23, 2014. Semi-pervious pavers were to be used and concrete was installed instead.

According to Mr. Chacon, the contractor, Mr. Montillo, was not aware of this requirement and used concrete. Mr. Chacon apologized for the error. He said that the Building Inspector caught the error and instructed him to follow up with the Planning Board.

Mr. Cantoreggi explained that the semi-pervious pavers were required for stormwater management. He stated that the Board worked with Mr. Chacon and specifically required the pavers for a reason and his actions have placed the Planning Board in a "difficult position." There will need to be mitigation of some sort, Mr. Cantoreggi stated. There was discussion regarding the creation of a rain garden along the edge of the patio. Mr. Cantoreggi and Mr. McKay will conduct a site visit and meet with Mr. Chacon to design something on-site to mitigate the error.

FORM A APPLICATION

APPROVAL NOT REQUIRED PLAN (ANR)

SOUTHEND FARM – 9 EVERGREEN TERRACE

DANIEL MERRIKIN, MERRIKIN ENGINEERING

Mr. Merrikin presented the Form A application and plan to the Board. The portions of land are contained within the Definitive Subdivision known as Southend Farm, located at 9 Evergreen Terrace, he said. The ANR subdivides the existing large lot 13A into the following:

- Two new unbuildable parcels A and B; and
- The slightly reduced Lot 13B, which is a buildable lot

On a motion made by Ms. MacInnes, seconded by Mr. McKay, it was voted unanimously (4-0) to approve and endorse an ANR plan entitled “Southend Farm A.N.R. Subdivision Plan of Land In Millis, MA” (1 sheet) dated August 13, 2015, stamped and prepared by Paul J. DeSimone, PLS, Colonial Engineering, P.O. Box 95, Medway, MA 02053, finding the Form A in order and subdivision control not required. The Planning Board found that the land shown on the plan did not constitute a subdivision within the meaning of the Subdivision Control Law, and therefore approved and endorsed the plan accordingly.

SMALL SUBDIVISION ON DMYTRYCK LAND

INFORMAL DISCUSSION

DANIEL MERRIKIN, MERRIKIN ENGINEERING

(Note: Planning Board member, Mr. Yered, recused himself from this discussion as he is a direct abutter.)

Mr. Merrikin presented a plan entitled, “Dmytryck Land Subdivision Sketch Plan B,” dated August 13, 2015. The property consists of approximately twenty-one acres adjacent to the Hickory Hills subdivision. According to Mr. Merrikin, “development of a small subdivision has been discussed for a while” with the Board of Selectmen. The applicant proposes to subdivide the land via conventional subdivision into six lots, he said, “assuming the following:”

1. limiting development to six conventional lots is predicated on the Board of Selectmen agreeing to allow a sewer connection through the Hickory Hills development for these six lots;
2. a public park will be provided in the center of the cul-de-sac;
3. since the park will be in the street layout, the new road will be proposed as a traditional public road.

Mr. Merrikin requested any feedback from the Board and then they would design and present a proper subdivision application. He stated that this is a reasonable, modest development for the site. The property owner has been talking to the Selectmen and Town Administrator.

MILLIS PLANNING BOARD MINUTES

Tuesday, August 18, 2015

Room 229, Veterans Memorial Building, 900 Main St., Millis, MA

There was lengthy discussion regarding the playground/park. Mr. Merrikin said it would be owned by the Town if it is for public use. The Town will be responsible for maintenance of the park, he said. There were many concerns raised by the Board regarding the playground in the middle of the cul-de-sac. It was the opinion of the Board that should any park/playground be constructed, that it be the responsibility of the Homeowner's Association. Safety issues were raised about having any type of park/playground area in the cul-de-sac. The Board was unanimous in that they would not approve a park/playground as shown on the sketch plan for the subdivision. Mr. Merrikin stated that he would take the Planning Board's views back to the Selectmen.

Mr. Fuzy addressed the Board and stated that in his opinion, "to add another Town park is not right. The homeowner's should maintain it."

Mr. Shluzas, who lives across from the proposed road, expressed concerns over the subdivision development. He asked if any type of plan was in place for tree removal. Mr. Cantoreggi explained that the Board has no authority over that issue. The Board would have jurisdiction should any tree removal be proposed in the Town right-of-way or on a Scenic Road. Mr. Shluzas expressed his concern over drainage issues. According to Mr. Shluzas, within the last six months, "trucks have dumped construction/landscaping waste" where the playground is proposed. He questioned whether the builder had a plan to remove the buried material. Mr. Merrikin stated that there are stockpiles of dirt and he "will certainly look into, and remove, anything as part of the road construction."

Mr. Klocko stated that he has been working on the site with his son-in-law. He explained the history of discussion with the Town Administrator and Selectmen regarding a "pocket park." According to Mr. Klocko, "it is the Selectmen's wish for a park; not the owner's." The cul-de-sac area was considered the best alternative, he said. The owner would spend no more than \$15,000.00 for equipment for the park, Mr. Klocko stated.

SOLAR BYLAW AMENDMENTS – DISCUSSION

ENERGY COMMITTEE

BOB WEISS

Mr. Weiss discussed the amendments proposed to the new Solar Bylaw that was approved at the June 8, 2015 Town Meeting. The amendments would allow the use, along as certain criteria is met, in the R-T and R-S zones by Special Permit. He asked that the Planning Board forward the proposed amendments to the Board of Selectmen to recommend that they be placed as an article on the warrant for the November Town Meeting.

On a motion made by Ms. MacInnes, seconded by Mr. McKay, it was voted unanimously to recommend a warrant article for Solar Zoning Bylaw Amendments for the Fall 2015 Town Meeting.

NEW BUSINESS:

REQUEST FOR WAIVER OF SITE PLAN REVIEW

40 EXCHANGE STREET

BUZZY'S ROAST BEEF

The Planning Board met with Mr. Robert Washek and Ms. Michele Washek. Mr. Washek requested a Waiver of Site Plan Review/Approval for the above-mentioned location, which was formerly Lumpy's Liquors.

Mr. Washek presented a letter, dated August 18, 2015. According to Mr. Washek, he has completed work on the exterior of the building and was referred to the Planning Board by the Building Inspector for approval of the site; or waiver thereof; due to the change in use from the liquor store to a "small sandwich shop/restaurant." Mr. Washek stated that everything is pre-existing. They propose adding tables for approximately thirty (30) seats with the possibility of outdoor seating.

Mr. Washek stated that there are currently five parking spaces directly in front of the building, with other parking available on the street. The building permit process will address all issues and concerns that may arise, he said.

On a motion made by Mr. Cantoreggi, and seconded by Ms. MacInnes, it was voted unanimously (4-0), pursuant to Section XIII (Special Permit Conditions) C., of the Town of Millis Zoning By-laws, to waive the requirements of Site Plan Review for 40 Exchange Street.

OTHER BUSINESS:

MINUTES

On a motion made by Mr. McKay, seconded by Ms. MacInnes, it was unanimously voted to approve the minutes from July 14, 2015, as written.

ADJOURN

There being no further discussion and on a motion made by Mr. McKay, seconded by Ms. MacInnes and voted unanimously, the meeting was adjourned at 9:17 p.m.

Scheduled Planning Board Meetings: September 22, 2015
October 20, 2015

Respectfully submitted,

Camille Standley
Administrative Assistant